

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

RONALD A. STEWART

Plaintiff,

-against-

BAY RIDGE NISSAN INC; BRAM AUTO
GROUP; IGNAZIO IACONO; JOHN IACONO;
MANNY LACITRA.

Defendants.

14 Civ. 4647(FB)(RML)

**NOTICE OF MOTION FOR PRELIMINARY APPROVAL OF CLASS
SETTLEMENT, CONDITIONAL CERTIFICATION OF THE SETTLEMENT
CLASS, APPOINTMENT OF PLAINTIFF'S COUNSEL AS CLASS COUNSEL, AND
APPROVAL OF PLAINTIFF'S PROPOSED NOTICE OF SETTLEMENT**

For the reasons set forth in the Memorandum of Law in Support of Plaintiff's Motion for Preliminary Approval of the Settlement, Conditional Certification of the Settlement Class, Appointment of Plaintiff's Counsel as Class Counsel, and Approval of Proposed Notice of Settlement and the Declaration of Karl J. Stoecker dated October 30, 2015 in Support of Plaintiff's Motion for Preliminary Approval ("Stoecker Declaration"), Plaintiff respectfully request that the Court enter an Order:

- (1) granting preliminary approval of the Settlement Agreement and Release ("Settlement Agreement") attached as Exhibit A to the Stoecker Declaration;
- (2) conditionally certifying a proposed class under Federal Rule of Civil Procedure 23(b)(3) for settlement purposes:
- (3) appointing the Law Offices of Karl J. Stoecker as Class Counsel;
- (4) approving the proposed Notice of Class Action Settlement ("Rule 23 Notice"), attached as Exhibit B to the Stoecker Declaration and directing its distribution;
- (5) approving the Parties' proposed schedule for final settlement approval as set forth in the Settlement Agreement; and

(6) granting such other, further, or different relief as the Court deems just and proper.

Dated: October 30, 2015
Mineola, New York

Respectfully submitted,

/s

Karl J. Stoecker (KS-0571)
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